

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANILLIR RAMIREZ-VEGA,

Civil Action No. CV 05-4534 (LDW)

Plaintiff,

- against-

ORDER

GARDEN CITY POLICE DEPARTMENT,
INCORPORATED VILLAGE OF GARDEN CITY,
POLICE OFFICER JAMES M. SOMMER and
COUNTY OF NASSAU,

Defendants.
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On July 17, 2007, at the scheduled hearing date of this matter, defendants, by their counsel, Cullen and Dykman LLP, moved the Court to enforce a settlement agreement reached among the parties. Plaintiff's counsel, Law Office of Richard M. Gutierrez, by Helene Gugerty, Esq., cross-moved, by Order to Show Cause, to be relieved as counsel herein.


The Court has heard the argument of counsel for defendants in favor of defendants' motion to enforce the settlement. No opposition to the motion was presented by plaintiff, who did not appear despite receiving notice of the motion from his counsel. The Court has also heard argument by plaintiff's counsel to be relieved as counsel in this matter. There was no opposition to the cross-motion. Therefore,

IT IS ORDERED that:

1. The defendants' motion to enforce the settlement is GRANTED;
2. The cross-motion of plaintiff's counsel, the Law Offices of Richard M. Guitierrez, to be relieved as counsel is GRANTED;
3. Counsel for defendants, Cullen and Dykman LLP, will hold the settlement proceeds in escrow until such time as plaintiff seeks to recover same;
4. Such proceeds are subject to the charging lien of plaintiff's counsel; and
5. This action is fully and finally dismissed, with prejudice.

Dated: Aug. 1, 2007

Lenard D. Wexler


HON. LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE